

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK**

In re: Fromwiller, Eric	§	Case No. 811-77936
Fromwiller, Kathleen	§	
	§	
Debtor(s)	§	

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**TRUSTEE'S FINAL REPORT (TFR)**

The undersigned trustee hereby makes this Final Report and states as follows:

1. A petition under Chapter 7 of the United States Bankruptcy Code was filed on November 07, 2011. The undersigned trustee was appointed on November 07, 2011.

2. The trustee faithfully and properly fulfilled the duties enumerated in 11 U.S.C. §704.

3. All scheduled and known assets of the estate have been reduced to cash, released to the debtor as exempt property pursuant to 11 U.S.C. § 522, or have been or will be abandoned pursuant to 11 U.S.C. § 554. An individual estate property record and report showing the disposition of all property of the estate is attached as **Exhibit A**.

4. The trustee realized the gross receipts of \$ 10,911.84

Funds were disbursed in the following amounts:

Payments made under an interim distribution	<u>0.00</u>
Administrative expenses	<u>9.77</u>
Bank service fees	<u>246.13</u>
Other payments to creditors	<u>0.00</u>
Non-estate funds paid to 3rd Parties	<u>0.00</u>
Exemptions paid to the debtor	<u>434.00</u>
Other payments to the debtor	<u>0.00</u>
Leaving a balance on hand of <sup>1</sup>	<u>\$ 10,221.94</u>

The remaining funds are available for distribution.

5. Attached as **Exhibit B** is a cash receipts and disbursements record for each estate bank account.

<sup>1</sup> The balance of funds on hand in the estate may continue to earn interest until disbursed. The interest earned prior to disbursement will be distributed pro rata to creditors within each priority category. The trustee may receive additional compensation not to exceed the maximum compensation set forth under 11 U.S.C. § 326(a) on account of the disbursement of the additional interest.

6. The deadline for filing non-governmental claims in this case was 03/19/2012 and the deadline for filing governmental claims was 05/05/2012. All claims of each class which will receive a distribution have been examined and any objections to the allowance of claims have been resolved. If applicable, a claims analysis, explaining why payment on any claim is not being made, is attached as **Exhibit C**.

7. The Trustee's proposed distribution is attached as **Exhibit D**.

8. Pursuant to 11 U.S.C. § 326(a), the maximum compensation allowable to the trustee is \$1,797.78. To the extent that additional interest is earned before case closing, the maximum compensation may increase.

The trustee has received \$0.00 as interim compensation and now requests the sum of \$1,797.78, for a total compensation of \$1,797.78.<sup>2</sup>In addition, the trustee received reimbursement for reasonable and necessary expenses in the amount of \$0.00 and now requests reimbursement for expenses of \$38.44, for total expenses of \$38.44.<sup>2</sup>

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Date: 06/05/2013 By: /s/Marc A. Pergament  
Trustee

**STATEMENT:** This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

<sup>2</sup>If the estate is administratively insolvent, the dollar amounts reflected in this paragraph may be higher than the amounts listed in the Trustee's Proposed Distribution (Exhibit D)

# Form 1

## Individual Estate Property Record and Report

### Asset Cases

**Case Number:** 811-77936**Trustee:** (521140) Marc A. Pergament**Case Name:** Fromwiller, Eric  
Fromwiller, Kathleen**Filed (f) or Converted (c):** 11/07/11 (f)**§341(a) Meeting Date:** 12/14/11**Period Ending:** 06/05/13**Claims Bar Date:** 03/19/12

1 Asset Description (Scheduled And Unscheduled (u) Property) Ref. #	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property <u>Abandoned</u> OA=\$554(a)	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1 REAL PROPERTY	390,000.00	0.00		0.00	FA
2 CASH ON HAND	10.00	0.00		0.00	FA
3 BANK ACCOUNTS	20.00	0.00		1,817.84	FA
4 HOUSEHOLD GOODS AND FURNISHINGS	3,000.00	0.00		0.00	FA
5 BOOKS AND ART OBJECTS	50.00	0.00		0.00	FA
6 WEARING APPAREL	1,000.00	0.00		0.00	FA
7 FURS AND JEWELRY	5,000.00	0.00		0.00	FA
8 2000 HONDA ACCORD	3,475.00	0.00		0.00	FA
9 2002 TOYOTA HIGHLANDER	4,000.00	Unknown		6,000.00	FA
10 2009 KAWASAKI ZX14	8,000.00	0.00		0.00	FA
11 TAX REFUNDS (u)	0.00	Unknown		3,094.00	FA
11 <b>Assets Totals</b> (Excluding unknown values)	<b>\$414,555.00</b>	<b>\$0.00</b>		<b>\$10,911.84</b>	<b>\$0.00</b>

**Major Activities Affecting Case Closing:****Initial Projected Date Of Final Report (TFR):** December 31, 2013**Current Projected Date Of Final Report (TFR):** June 5, 2013 (Actual)

## Form 2

### Cash Receipts And Disbursements Record

Case Number: 811-77936

Case Name: Fromwiller, Eric

Fromwiller, Kathleen

Taxpayer ID #: \*\*-\*\*\*7400

Period Ending: 06/05/13

Trustee: Marc A. Pergament (521140)

Bank Name: The Bank of New York Mellon

Account: 9200-\*\*\*\*\*37-66 - Checking Account

Blanket Bond: \$13,500,000.00 (per case limit)

Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
05/10/12	{9}	Kathy and Eric Fromwiller	Acct #1; Payment #1; 2002 Toyota Highlander	1129-000	300.00		300.00
05/10/12	{11}	Kathleen Fromwiller	Tax Refunds	1224-000	3,094.00		3,394.00
05/16/12	101	Eric and Kathleen Fromwiller	Return of exempt portion of tax refunds	8100-002		434.00	2,960.00
05/29/12	{9}	Kathy and Eric Fromwiller	Acct #1; Payment #2; 2002 Toyota Highlander	1129-000	300.00		3,260.00
05/31/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		25.00	3,235.00
06/01/12	{3}	Kathleen Fromwiller	Bank accounts	1129-000	1,817.84		5,052.84
06/27/12	{9}	Eric Fromwiller	Acct #1; Payment #3; 2002 Toyota Highlander	1129-000	300.00		5,352.84
06/29/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		25.00	5,327.84
07/30/12	{9}	Kathy and Eric Fromwiller	Acct #1; Payment #4; 2002 Toyota Highlander	1129-000	300.00		5,627.84
07/31/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		25.00	5,602.84
08/30/12	{9}	Kathy and Eric Fromwiller	Acct #1; Payment #5; 2002 Toyota Highlander	1129-000	300.00		5,902.84
08/31/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		25.00	5,877.84
09/28/12	{9}	Kathy and Eric Fromwiller	Acct #1; Payment #6; 2002 Toyota Highlander	1129-000	300.00		6,177.84
09/28/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		25.00	6,152.84
10/31/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		25.00	6,127.84
11/05/12	{9}	Kathy and Eric Fromwiller	Acct #1; Payment #7; 2002 Toyota Highlander	1129-000	300.00		6,427.84
11/21/12	{9}	Eric and Kathy Fromwiller	Acct #1; Payment #8; 2002 Toyota Highlander	1129-000	300.00		6,727.84
11/30/12		The Bank of New York Mellon	Bank and Technology Services Fee	2600-000		25.00	6,702.84
12/13/12		RABOBANK MIGRATION TRANSFER OUT	TRANSFER TO 0001052114088 20121213	9999-000		6,702.84	0.00

<b>ACCOUNT TOTALS</b>	<b>7,311.84</b>	<b>7,311.84</b>	<b>\$0.00</b>
Less: Bank Transfers	0.00	6,702.84	
<b>Subtotal</b>	<b>7,311.84</b>	<b>609.00</b>	
Less: Payments to Debtors		434.00	
<b>NET Receipts / Disbursements</b>	<b>\$7,311.84</b>	<b>\$175.00</b>	

## Form 2

### Cash Receipts And Disbursements Record

Case Number: 811-77936

Case Name: Fromwiller, Eric

Fromwiller, Kathleen

Taxpayer ID #: \*\*-\*\*\*7400

Period Ending: 06/05/13

Trustee: Marc A. Pergament (521140)

Bank Name: Rabobank, N.A.

Account: \*\*\*\*592666 - Checking Account

Blanket Bond: \$13,500,000.00 (per case limit)

Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
12/14/12		RABOBANK MIGRATION TRANSFER IN	RABOBANK MIGRATION	9999-000	6,702.84		6,702.84
12/21/12	{9}	Kathy and Eric Fromwiller	Acct #1; Payment #9; 2002 Toyota Highlander	1129-000	300.00		7,002.84
12/31/12		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		10.00	6,992.84
01/03/13	10102	International Sureties, Ltd.	BOND PREMIUM PAYMENT ON LEDGER BALANCE AS OF 01/03/2013 FOR CASE #811-77936, Bond # 016027942, Term: 01/01/13 to 01/01/14	2300-000		9.77	6,983.07
01/18/13	{9}	Eric and Kathy Fromwiller	Acct #1; Payment #10; 2002 Toyota Highlander	1129-000	300.00		7,283.07
01/31/13		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		11.17	7,271.90
02/21/13	{9}	Eric and Kathy Fromwiller	Acct #1; Payment #11; 2002 Toyota Highlander	1129-000	300.00		7,571.90
02/28/13		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		10.00	7,561.90
03/18/13	{9}	Eric and Kathy Fromwiller	Acct #1; Payment #12; 2002 Toyota Highlander	1129-000	300.00		7,861.90
03/29/13		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		10.64	7,851.26
04/10/13	{9}	Eric Fromwiller	Acct #1; Payment #13; 2002 Toyota Highlander	1129-000	400.00		8,251.26
04/10/13	{9}	Eric Fromwiller	Acct #1; Payment #13; 2002 Toyota Highlander	1129-000	1,000.00		9,251.26
04/10/13	{9}	Eric Fromwiller	Acct #1; Payment #13; 2004 Toyota Highlander	1129-000	1,000.00		10,251.26
04/30/13		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		14.11	10,237.15
05/31/13		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		15.21	10,221.94

<b>ACCOUNT TOTALS</b>	<b>10,302.84</b>	<b>80.90</b>	<b>\$10,221.94</b>
Less: Bank Transfers	6,702.84	0.00	
<b>Subtotal</b>	<b>3,600.00</b>	<b>80.90</b>	
Less: Payments to Debtors		0.00	
<b>NET Receipts / Disbursements</b>	<b>\$3,600.00</b>	<b>\$80.90</b>	

## Form 2

### Cash Receipts And Disbursements Record

Case Number: 811-77936

Case Name: Fromwiller, Eric

Fromwiller, Kathleen

Taxpayer ID #: \*\*-\*\*\*7400

Period Ending: 06/05/13

Trustee: Marc A. Pergament (521140)

Bank Name: Rabobank, N.A.

Account: \*\*\*\*592666 - Checking Account

Blanket Bond: \$13,500,000.00 (per case limit)

Separate Bond: N/A

1	2	3	4		5	6	7
Trans. Date	{Ref #} / Check #	Paid To / Received From	Description of Transaction	T-Code	Receipts \$	Disbursements \$	Checking Account Balance

Net Receipts :	10,911.84
Less Payments to Debtor :	434.00
Net Estate :	\$10,477.84

	Net Receipts	Net Disbursements	Account Balances
<b>TOTAL - ALL ACCOUNTS</b>			
Checking # 9200-*****37-66	7,311.84	175.00	0.00
Checking # ****592666	3,600.00	80.90	10,221.94
	<b>\$10,911.84</b>	<b>\$255.90</b>	<b>\$10,221.94</b>

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**Claims Distribution Register**

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**Case: 811-77936 Fromwiller, Eric**

Claim #	Date	Pri	Claimant / Proof / <Category> / Memo	Amount Filed	Amount Allowed	Paid to Date	Claim Balance	Proposed Payment
<b>Admin Ch. 7 Claims:</b>								
	11/07/11	200	Weinberg, Gross & Pergament LLP 400 Garden City Plaza Suite 403 Garden City, NY 11530 <3110-00 Attorney for Trustee Fees (Trustee Firm)>	2,991.50	2,991.50	0.00	2,991.50	2,991.50
	11/07/11	200	Weinberg, Gross & Pergament LLP 400 Garden City Plaza Suite 403 Garden City, NY 11530 <3120-00 Attorney for Trustee Expenses (Trustee Firm)>	95.15	95.15	0.00	95.15	95.15
	11/07/11	200	Marc A. Pergament 400 Garden City Plaza Suite 403 Garden City, NY 11530 <2100-00 Trustee Compensation>	1,797.78	1,797.78	0.00	1,797.78	1,797.78
	11/07/11	200	Marc A. Pergament 400 Garden City Plaza Suite 403 Garden City, NY 11530 <2200-00 Trustee Expenses>	38.44	38.44	0.00	38.44	38.44
<b>Total for Priority 200: 100% Paid</b>				<b>\$4,922.87</b>	<b>\$4,922.87</b>	<b>\$0.00</b>	<b>\$4,922.87</b>	<b>\$4,922.87</b>
<b>Total for Admin Ch. 7 Claims:</b>				<b>\$4,922.87</b>	<b>\$4,922.87</b>	<b>\$0.00</b>	<b>\$4,922.87</b>	<b>\$4,922.87</b>

**Unsecured Claims:**

1	01/03/12	610	Chase Bank USA, N.A. PO Box 15145 Wilmington, DE 19850-5145 <7100-00 General Unsecured § 726(a)(2)>	513.63	513.63	0.00	513.63	34.83
2	01/10/12	610	Capital Recovery IV LLC c/o Recovery Management Systems Corp 25 SE 2nd Avenue Suite 1120 Miami, FL 33131-1605 <7100-00 General Unsecured § 726(a)(2)>	13,750.75	13,750.75	0.00	13,750.75	932.10
3	01/10/12	610	Capital Recovery IV LLC c/o Recovery Management Systems Corp 25 SE 2nd Avenue Suite 1120 Miami, FL 33131-1605 <7100-00 General Unsecured § 726(a)(2)>	2,768.39	2,768.39	0.00	2,768.39	187.66
4	01/23/12	610	FIA CARD SERVICES, N.A. PO Box 15102 Wilmington, DE 19886-5102 <7100-00 General Unsecured § 726(a)(2)>	15,002.87	15,002.87	0.00	15,002.87	1,016.97

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**Claims Distribution Register**

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**Case: 811-77936 Fromwiller, Eric**

<b>Claim #</b>	<b>Date</b>	<b>Pri</b>	<b>Claimant / Proof / &lt;Category&gt; / Memo</b>	<b>Amount Filed</b>	<b>Amount Allowed</b>	<b>Paid to Date</b>	<b>Claim Balance</b>	<b>Proposed Payment</b>
5	01/23/12	610	Valley National Bank 1445 Valley Rd. Wayne, NJ 07470 <7100-00 General Unsecured § 726(a)(2)>	7,896.58	7,896.58	0.00	7,896.58	535.27
6	01/31/12	610	Ford Motor Credit Company c/o Rubin & Rothman, LLC 1787 Veterans Memorial Highway Islandia, NY 11740 <7100-00 General Unsecured § 726(a)(2)>	11,316.69	11,316.69	0.00	11,316.69	767.11
7	01/31/12	610	Ford Motor Credit Company c/o Rubin & Rothman, LLC 1787 Veterans Memorial Highway Islandia, NY 11740 <7100-00 General Unsecured § 726(a)(2)>	7,245.42	7,245.42	0.00	7,245.42	491.13
8	02/08/12	610	Midland Funding LLC By its authorized agent Recoser, LLC 25 SE 2nd Ave, Suite 1120 Miami, FL 33131 <7100-00 General Unsecured § 726(a)(2)>	189.99	189.99	0.00	189.99	12.88
9	02/15/12	610	NYC Department of Finance 59 Maiden Lane, 24th Floor New York, NY 10038 <7100-00 General Unsecured § 726(a)(2)>	132.02	132.02	0.00	132.02	8.95
10	02/28/12	610	Citibank, N.A. c/o American InfoSource LP PO Box 248840 Oklahoma City, OK 73124-8840 <7100-00 General Unsecured § 726(a)(2)>	475.82	475.82	0.00	475.82	32.25
11	03/15/12	610	State Farm Bank c o Becket and Lee LLP POB 3001 Malvern, PA 19355-0701 <7100-00 General Unsecured § 726(a)(2)>	4,981.42	4,981.42	0.00	4,981.42	337.67
12	03/15/12	610	State Farm Bank c o Becket and Lee LLP POB 3001 Malvern, PA 19355-0701 <7100-00 General Unsecured § 726(a)(2)>	11,914.01	11,914.01	0.00	11,914.01	807.59
13	03/19/12	610	eCAST Settlement Corporation c/o Bass & Associates, P.C. 3936 E Ft. Lowell, Suite 200 Tucson, AZ 85712 <7100-00 General Unsecured § 726(a)(2)>	1,986.61	1,986.61	0.00	1,986.61	134.66
<b>Total for Priority 610: 6.77854% Paid</b>				<b>\$78,174.20</b>	<b>\$78,174.20</b>	<b>\$0.00</b>	<b>\$78,174.20</b>	<b>\$5,299.07</b>



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**Claims Distribution Register**

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**Case: 811-77936 Fromwiller, Eric**

<b>Claim #</b>	<b>Date</b>	<b>Pri</b>	<b>Claimant / Proof / &lt;Category&gt; / Memo</b>	<b>Amount Filed</b>	<b>Amount Allowed</b>	<b>Paid to Date</b>	<b>Claim Balance</b>	<b>Proposed Payment</b>
14	04/16/12	620	Citibank, N.A. c/o American InfoSource LP PO Box 248840 Oklahoma City, OK 73124-8840 <7200-00 Tardy General Unsecured § 726(a)(3)>	3,600.79	3,600.79	0.00	3,600.79	0.00
<b>Priority 620: 0% Paid</b>								
<b>Total for Unsecured Claims:</b>				<b>\$81,774.99</b>	<b>\$81,774.99</b>	<b>\$0.00</b>	<b>\$81,774.99</b>	<b>\$5,299.07</b>
<b>Total for Case :</b>				<b>\$86,697.86</b>	<b>\$86,697.86</b>	<b>\$0.00</b>	<b>\$86,697.86</b>	<b>\$10,221.94</b>

**TRUSTEE'S PROPOSED DISTRIBUTION**

Exhibit D

Case No.: 811-77936

Case Name: Fromwiller, Eric

Trustee Name: Marc A. Pergament

**Balance on hand:** \$ 10,221.94

Claims of secured creditors will be paid as follows:

Claim No.	Claimant	Claim Asserted	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
None					

Total to be paid to secured creditors: \$ 0.00Remaining balance: \$ 10,221.94

Applications for chapter 7 fees and administrative expenses have been filed as follows:

Reason/Applicant	Total Requested	Interim Payments to Date	Proposed Payment
Trustee, Fees - Marc A. Pergament	1,797.78	0.00	1,797.78
Trustee, Expenses - Marc A. Pergament	38.44	0.00	38.44
Attorney for Trustee, Fees - Weinberg, Gross & Pergament LLP	2,991.50	0.00	2,991.50
Attorney for Trustee, Expenses - Weinberg, Gross & Pergament LLP	95.15	0.00	95.15

Total to be paid for chapter 7 administration expenses: \$ 4,922.87Remaining balance: \$ 5,299.07

Applications for prior chapter fees and administrative expenses have been filed as follows:

Reason/Applicant	Total Requested	Interim Payments to Date	Proposed Payment
None			

Total to be paid for prior chapter administrative expenses: \$ 0.00Remaining balance: \$ 5,299.07

In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling \$0.00 must be paid in advance of any dividend to general (unsecured) creditors.

Allowed priority claims are:

Claim No	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
None				

Total to be paid for priority claims: \$ 0.00

Remaining balance: \$ 5,299.07

The actual distribution to wage claimants included above, if any, will be the proposed payment less applicable withholding taxes (which will be remitted to the appropriate taxing authorities).

Timely claims of general (unsecured) creditors totaling \$ 78,174.20 have been allowed and will be paid *pro rata* only after all allowed administrative and priority claims have been paid in full.

The timely allowed general (unsecured) dividend is anticipated to be 6.8 percent, plus interest (if applicable).

Timely allowed general (unsecured) claims are as follows:

Claim No	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
1	Chase Bank USA, N.A.	513.63	0.00	34.83
2	Capital Recovery IV LLC	13,750.75	0.00	932.10
3	Capital Recovery IV LLC	2,768.39	0.00	187.66
4	FIA CARD SERVICES, N.A.	15,002.87	0.00	1,016.97
5	Valley National Bank	7,896.58	0.00	535.27
6	Ford Motor Credit Company	11,316.69	0.00	767.11
7	Ford Motor Credit Company	7,245.42	0.00	491.13
8	Midland Funding LLC	189.99	0.00	12.88
9	NYC Department of Finance	132.02	0.00	8.95
10	Citibank, N.A.	475.82	0.00	32.25
11	State Farm Bank	4,981.42	0.00	337.67
12	State Farm Bank	11,914.01	0.00	807.59
13	eCAST Settlement Corporation	1,986.61	0.00	134.66

Total to be paid for timely general unsecured claims: \$ 5,299.07

Remaining balance: \$ 0.00

Tardily filed claims of general (unsecured) creditors totaling \$ 3,600.79 have been allowed and will be paid pro rata only after all allowed administrative, priority and timely filed general (unsecured) claims have been paid in full. The tardily filed claim dividend is anticipated to be 0.0 percent, plus interest (if applicable).

Tardily filed general (unsecured) claims are as follows:

Claim No	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
14	Citibank, N.A.	3,600.79	0.00	0.00

Total to be paid for tardy general unsecured claims: \$ 0.00

Remaining balance: \$ 0.00

Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court totaling \$ 0.00 have been allowed and will be paid pro rata only after all allowed administrative, priority and general (unsecured) claims have been paid in full. The dividend for subordinated unsecured claims is anticipated to be 0.0 percent, plus interest (if applicable).

Subordinated unsecured claims for fines, penalties, forfeitures or damages and claims ordered subordinated by the Court are as follows:

Claim No	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
None				

Total to be paid for subordinated claims: \$ 0.00

Remaining balance: \$ 0.00